

U.S. Department of Justice  
United States Marshals ServicePROCESS RECEIPT AND RETURN  
See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form.

PLAINTIFF Cityscape Corp.		COURT CASE NUMBER Misc. Action No. 2:01-mc-00021
DEFENDANT Walsh Securities Corp., a/k/a Walsh Securities, Inc. a/ka/ Walsh Securities, Incorporated, f/k/a GFM Mortgage, n/k/a Equity Rewards Mortgage, Inc.		TYPE OF PROCESS WEX
SERVE ➡  AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN James A. Walsh	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 10 Sherwood Court, Warren, New Jersey 07059	

## SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Nancy A. Washington, Esq.  
Saiber Schlesinger Satz & Goldstein, LLC  
One Gateway Center  
Newark, New Jersey 07102

Number of process to be  
served with this Form - 285Number of parties to be  
served in this caseCheck for service  
on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternative Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Signature of Attorney or other Originator requesting service on behalf of:

☒ PLAINTIFF  
☐ DEFENDANT
TELEPHONE NUMBER  
973-622-3333DATE  
9-28-04

## SPACE BELOW FOR USE OF U.S. MARSHAL ONLY — DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process 2	District of Origin No. 50	District to Serve No. 50	Signature of Authorized USMS Deputy or Clerk E. Baskerville	Date 10/19/04
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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service

10/26/2004 5:00 pm

Signature of U.S. Marshal or Deputy

Service Fee \$45.00	Total Mileage Charges (including endeavors) 19.99	Forwarding Fee	Total Charges \$64.99	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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REMARKS: 10/26/2004

27.77 x 2 = 55.54 x .36 = 19.99 + 45.00 = 64.99  
Miles

U.S. Department of Justice  
United States Marshals Service10/20/2004  
**PROCESS RECEIPT AND RETURN**  
See Instructions for "Service of Process by the U.S. Marshal"  
on the reverse of this form. AR

PLAINTIFF Cityscape Corp.		COURT CASE NUMBER Misc. Action No. 2:01-mc-00021
DEFENDANT Walsh Securities Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities, Incorporated, f/k/a GFM Mortgage, n/k/a Equity Rewards Mortgage, Inc.		TYPE OF PROCESS <i>Wex</i>
SERVE ➔ AT	NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC., TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN Robert C. Walsh	
	ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 46 Laura Lane, Morristown, New Jersey 07960	

## SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

Nancy A. Washington, Esq.  
Saiber Schlesinger Satz & Goldstein, LLC  
One Gateway Center  
Newark, New Jersey 07102

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☒ PLAINTIFF  
☐ DEFENDANT
TELEPHONE NUMBER  
973-622-3333

DATE

9-28-04

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I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☒ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

*\* Melissa C. Walsh*

Address (complete only if different than shown above)

☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Date of Service

*10/26/2004*

Time

*5:33 pm*

Signature of U.S. Marshal or Deputy

*Dept. A. Reid*

Service Fee <i>\$45.00</i>	Total Mileage Charges (including endeavors) <i>\$14.40</i>	Forwarding Fee	Total Charges <i>\$59.40</i>	Advance Deposits	Amount owed to U.S. Marshal or	Amount of Refund
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## REMARKS:

*10/26/2004 20 miles x 2 = 40 x .36 = \$14.40 + 45.00 = \$59.40*

RECEIVED USMS  
NEWARK, N.J.  
07/11UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

04 OCT 19 PM 4:08

MC-2:01-00021 (KSH)

Case No. 98-0223

WRIT OF EXECUTION  
FOR REGISTERED JUDGMENTS

TO THE MARSHAL OF THE UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY

**WHEREAS**, judgment was entered on the 4<sup>th</sup> day of January, 2001 in an action in the United States Bankruptcy District Court, Southern District of New York between Cityscape Corp. plaintiff(s) and Walsh Securities Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities Incorporated, f/k/a GF Mortgage Corp., n/k/a Equity Rewards Mortgage, Inc., defendant(s), in favor of said plaintiff Cityscape Corp. and against said defendant Walsh Securities Corp., for the sum of \$4,732,568.93 and costs taxed in the sum of \$-0- and said judgment having been assigned to Cherokee Solutions, Inc. (the "Judgment Holder") by Assignment of Judgment dated May 26, 2004 as appears by the Assignment of Judgment filed in the Office of the Clerk of the United States District Court, District of New Jersey; and

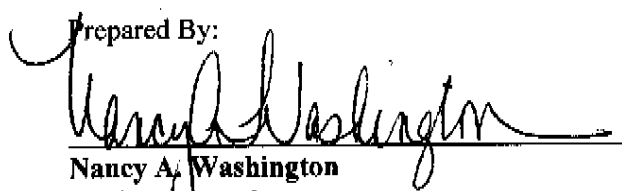
**WHEREAS**, the said Judgment was duly entered in the Office of the Clerk of the United States District Court, District of New Jersey, and the sum of \$4,732,568.93, plus taxed costs in the sum of \$-0-, plus post-judgment interest<sup>1</sup> is now actually due thereon;

**THEREFORE**, you are hereby commanded to satisfy the said Judgment out of the personal property of the said defendant and judgment debtor, as set forth in the attached affidavit, and if sufficient personal property cannot be found, then out of the real property belonging to such defendant and judgment debtor at the time said Judgment was entered in the Office of the Clerk of this Court, or at any time thereafter, in whosoever hands the same may be, as set forth in the attached affidavit and that you do pay the moneys realized by you from such property directly to said Judgment Holder or to their attorney in the said action, and return this execution and your proceedings thereon within one (1) year after date of its issuance to the Clerk of the United States District Court, District of New Jersey.

**WE FURTHER COMMAND YOU**, that in case of a sale, you make return of this Writ with your proceedings thereon before said Clerk and pay to the Clerk of this Court any surplus in your hands within thirty (30) days after said sale.

**WITNESS**, the Honorable Katharine S. Hayden, a Judge of the United States District Court, District of New Jersey this 13<sup>th</sup> day of October, 2004.

Prepared By:

  
Nancy A. Washington  
An Attorney at Law

Address: Saiber Schlesinger Satz & Goldstein  
One Gateway Center - 13<sup>th</sup> Floor  
Newark, New Jersey 07102

William T. Walsh, Clerk  
United States District Court

By: Charlie Sanders  
Deputy Clerk

LEVY:

Damages.....	\$4,732,568.93
Costs.....	\$ -0-
Interest <sup>1</sup> from January 4, 2001....	\$
	\$

Besides Marshal's Execution Fees

<sup>1</sup> The judgment creditor reserves the right to add on the full amount of post-judgment interest that has accrued on the judgment since January 4, 2001, in the event that the principal amount of the judgment is satisfied by assets seized.

**MC-2:01-00021 (KSH)****Case No. 98-0223****WRIT OF EXECUTION FOR REGISTERED JUDGMENT**COUNTY OF ESSEX :STATE OF NEW JERSEY :**AFFIDAVIT**Nancy A. Washington being duly sworn, says:

1. I am the attorney for **judgment holder/creditor** in the matter of **Cityscape Corp. v. Walsh Securities, Corp., Misc. Action No. 2:01-00021 (KSH)**, Case No. **98-0223**, and in that capacity and in conformance with N.J.S. 2A:17-1, et. seq., as made applicable to this case by Rule 69(a), Fed. R. Civ. P., I have reviewed financial statements regarding the judgment debtor's assets as provided on behalf of the judgment debtor, as well as public records thereof.

2. I have determined the following non-exempt personal property of the judgment debtor is subject to execution in satisfaction of the judgment therein:

PROPERTY DESCRIPTION	PROPERTY LOCATION
<p>1. Any and all funds or other assets, of any kind or nature, owned by, belonging to, held for the benefit of, or otherwise in the name of <b>Walsh Securities, Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities, Incorporated, f/k/a GF Mortgage Corp., n/k/a Equity Rewards Mortgage, Inc. (collectively "Walsh Securities")</b>, in the possession, custody or control of Robert C. Walsh.</p>	<p><b>Robert C. Walsh</b> 46 Laura Lane Morristown, New Jersey 07960</p>
<p>2. Any and all funds or other assets, of any kind or nature, owned by, belonging to, held for the benefit of, or otherwise in the name of <b>Walsh Securities, Corp., a/k/a Walsh Securities, Inc., a/k/a Walsh Securities, Incorporated, f/k/a GF Mortgage Corp., n/k/a Equity Rewards Mortgage, Inc. (collectively "Walsh Securities")</b>, in the possession, custody or control of James A. Walsh.</p>	<p><b>James A. Walsh</b> 10 Sherwood Court Warren, New Jersey 07059</p>

3. I have determined the following non-exempt real property of the judgment debtor is subject to execution in satisfaction of the judgment therein:

PROPERTY DESCRIPTION

PROPERTY LOCATION

Alma C. Peterson  
(Signature)

Nancy A. Washington  
Nancy A. Washington  
(Signature)

Subscribed and Sworn before me this  
28th day of September 2004

ALMA C. PETERSON  
A Notary Public of New Jersey  
My Commission Expires 05/04/08

Notary of 5/4/2008  
My Commission Expires N.J.

RETURNABLE ON OR BEFORE

October 13, 2005

Recorded in the Clerk's Office of the United States District Court for the District of New Jersey in  
Book N04 of Executions, Page 65

William T. Walsh, Clerk  
United States District Court

By: Charlie Sanders  
Deputy Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
CITYSCAPE CORP.,

Plaintiff,

-against-

WALSH SECURITIES,

Defendant.  
-----X

**98 CIVIL 0223 (SHS)  
CERTIFICATION OF JUDGMENT  
FOR REGISTRATION IN  
ANOTHER DISTRICT  
JUDGMENT #01,0012**

I, J. Michael McMahon, Clerk of this United States District Court certify that the attached is a true and correct copy of the judgment entered in this action on January 4, 2001 as it appears in the records of this court, and that \* no notice of appeal has been filed, and no motion of any kind listed in Rule 4(a) of the Federal Rules of Appellate Procedure has been filed.

IN TESTIMONY WHEREOF, I sign my name and affix the seal of this Court on  
April 23, 2004.

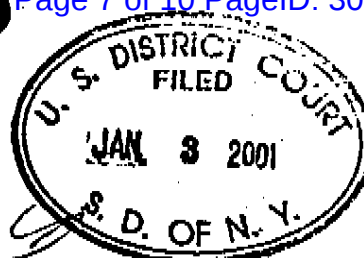
J. Michael McMahon

Clerk

[Signature]

(By) Deputy Clerk

20  
30  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



CITYSCAPE CORP.,

Plaintiff,

v.

23/04  
WALSH SECURITIES CORP.,

Defendant.

98 Civ. 223 (SHS)

JUDGMENT AND ORDER

# 01,0012

SIDNEY H. STEIN, U.S. District Judge.

Plaintiff Cityscape Corp. ("Cityscape") having moved this Court on October 22, 1999 for partial summary judgment on Cityscape's breach of contract claim against defendant Walsh Securities Corp., ("Walsh") for 32 loans (the "New Jersey Loans") and

The Court having given due and careful consideration to the matters at issue and having set forth its findings of fact and conclusions of law in Opinions dated June 8, 2000, and October 20, 2000:

WHEREAS, this Court's Order dated June 8, 2000 granted Cityscape partial summary judgment on Cityscape's claims relating to the 32 New Jersey Loans;

WHEREAS, this Court's Order dated October 20, 2000 denied Walsh's claim for an offset of Cityscape's damages;

A CERTIFIED COPY

J. MICHAEL McMAHON,

CLERK

BY

*Melanie L. Lopez*

DEPUTY CLERK

MICROFILM  
JAN - 4 2001  
- 12 00 PM

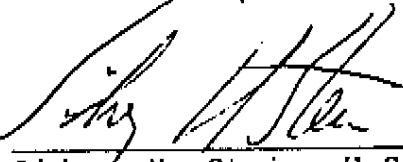
WHEREAS, this Court's Order dated October 20, 2000 determined that Cityscape's damages were \$4,732,568.93;

IT IS HEARBY ORDERED AND ADJUDGED as follows:

1. Cityscape is granted partial summary judgment on its claim for breach of contract for the 32 New Jersey Loans;
2. Cityscape's motion for an order awarding damages for the 32 New Jersey Loans is granted;
3. Cityscape is awarded damages in the amount of \$4,732,568.93;
4. Walsh is granted summary judgment on its motions to dismiss Cityscape's claims relating to the Appraisal Variance Loans;
5. Walsh's counterclaims are dismissed.

Dated: New York, New York  
~~December~~ 12, 2000

SO ORDERED: 11/2/01

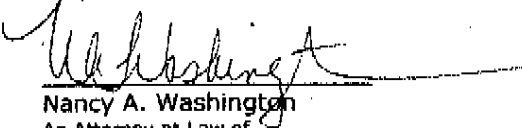
  
\_\_\_\_\_  
Sidney H. Stein, U.S.D.J.

80155400\_1.DOC

THIS DOCUMENT WAS ENTERED  
ON THE DOCKET ON 1-4-01



Prepared by:

  
Nancy A. Washington  
An Attorney at Law of  
the State of New Jersey

May 26, 2004

### **ASSIGNMENT OF JUDGMENT**

**FOR GOOD AND VALUABLE CONSIDERATION**, the receipt and adequacy of which is hereby acknowledged, **CITYSCAPE CORP.**, a/k/a **Cityscape Mortgage Corp.**, c/o AMC Financial, P.O. Box 8160, Waco, Texas 76714, ("Assignor") hereby grants, assigns, transfers and conveys to **CHEROKEE SOLUTIONS, INC.**, P.O. Box 6357, East Brunswick, NJ 08816, its successors and assigns ("Assignee"), without recourse, all of its right, title and interest in and to that certain Judgment entered on January 2, 2001, by the United States District Court for the Southern District of New York, in the action entitled Cityscape Corp. v. Walsh Securities Corp., in Civil Action No. 98-0223(SHS), granting judgment in favor of plaintiff and against defendant in the amount of \$4,732,568.93.


This Assignment of Judgment shall be binding on the parties and their respective successors and assigns.

This Assignment of Judgment is without recourse to Assignor in any manner whatsoever.


This Assignment of Judgment is made in accordance with and subject to the terms of a certain Assignment Agreement between Assignor and Assignee dated as of May 26, 2004.

**IN WITNESS WHEREOF**, the undersigned has executed this Assignment of Judgment on this 26<sup>th</sup> day of May, 2004.

ATTEST:

  
Name: Heyward Taylor  
Title: Chairman

CITYSCAPE CORP.

By:   
Name: Bill H. Gross  
Title: President

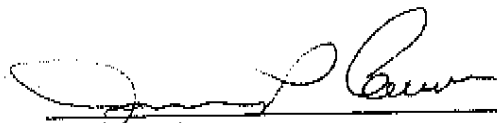
**CORPORATE ACKNOWLEDGMENT**

STATE OF TEXAS :  
: S.S. :  
COUNTY OF :

Be It remembered, that on this 26<sup>th</sup> day of May, 2004, before me, the subscriber, in and for said county, personally appeared **BILL N. GOSS** who, I am satisfied is the person who assigned the within instrument as the **PRESIDENT** of CITYSCAPE CORP., a/k/a Cityscape Mortgage Corp., and delivered the same as such officer aforesaid, and that the within instrument is the voluntary act and deed of such association, made by virtue of a Resolution of its Board of Directors.

Witnesseth my hand and seal.



  
\_\_\_\_\_  
Notary Public

My commission expires:

**ASSIGNMENT OF JUDGMENT**

To the Register or Clerk

CITYSCAPE CORP.,  
a/k/a Cityscape Mortgage Corp.,

County of

to

CHEROKEE SOLUTIONS, INC.

Record and return to:

Nancy A. Washington, Esq.  
SAIBER SCHLESINGER SATZ  
& GOLDSTEIN, LLC  
One Gateway Center  
13<sup>th</sup> Floor  
Newark, New Jersey 07102